

REMARKS

In the Restriction Requirement, the Examiner required restriction to one of the following Groups:

IIIA. Claims 16-26, drawn to a first chromatography apparatus;

IIIB. Claims 27-28, drawn to a second chromatography apparatus.

Applicants hereby elect Group IIIA, Claims 16-26, with traverse, for further prosecution. Claims 27-28 are withdrawn from consideration. Applicants reserve the right to pursue divisional applications on the withdrawn claims at a later date.

Applicants respectfully traverse the Examiner's Restriction Requirement. In accordance with M.P.E.P. § 803, an application may properly be required to be restricted to one or more claimed inventions only if they are able to support separate patents and they are either independent (M.P.E.P. § 806.04 - § 806.04(i)) or distinct (M.P.E.P. § 806.05 - § 806.05(i)). In particular, there are two criteria for a proper requirement for restriction between patentably distinct inventions:

(A) The inventions must be independent (see M.P.E.P. § 802.01, § 806.04, § 808.01) or distinct as claimed (see M.P.E.P. § 806.05 - § 806.05(i)); and

(B) There must be a serious burden on the examiner if restriction is required (see M.P.E.P. § 803.02, § 806.04(a) - § 806.04(i), § 808.01(a), and § 808.02).

If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions. M.P.E.P. § 803.

In the present case, Applicants respectfully assert that search and examination of the entire application can be made without serious burden, regardless as to whether it includes claims to independent or distinct inventions. Applicants note that all of the inventions identified by the Examiner are classified in a single class and subclass. Thusly, Applicants respectfully request that the Examiner examine all claims on the merits.

Serial No.: 10/043 645
Filing Date: 01/10/2002

Paragraph 4 refers to an election of species or invention. However, the Examiner has not recited any species to be elected. Thus, Applicants assume that this paragraph refers to the foregoing Restriction Requirement.

Please direct any calls in connection with this application to the undersigned at (415) 781-1989.

Respectfully submitted,		
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